

Rev. 4/18

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT  
CIVIL APPEAL STATEMENT**

*Please TYPE. Attach additional pages if necessary.*

11th Circuit Docket Number: 23-13161

Caption:  <b>Linda Medley, Plaintiff-Appellee,</b>  V.  <b>Dish Network, LLC, Defendant-Appellant</b>	District and Division: Middle District of Florida Name of Judge: Charlene Edwards Honeywell Nature of Suit: 890 Other Statutory Actions  Date Complaint Filed: August 31, 2016 District Court Docket Number: 8:16-cv-02534-CEH-CPT  Date Notice of Appeal Filed: September 22, 2023 <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action  Has this matter previously been before this court? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide (a) Caption: Linda Medley v. Dish Network, LLC (b) Citation: (c) Docket Number: 18-13841
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For Appellant:	Attorney Name	Mailing Address	Telephone, Fax, Email
<input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	Eric Larson Zalud	127 Public Square Suite 4900 Cleveland, OH 44114	(216) 363-4500 (216) 363-4588 ezalud@beneschlaw.com

For Appellee:	Attorney Name	Mailing Address	Telephone, Fax, Email
<input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify)	Ian R. Leavengood	3900 First Street North Suite 1000 St. Petersburg, FL 33703	(727) 327-3328 (727) 327-3305 ileavengood@leavenlaw.com

*Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.*

Jurisdiction	Nature of Judgment	Type of Order	Relief
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant	<input checked="" type="checkbox"/> Final Judgment, 28 USC 1291 <input type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) <input type="checkbox"/> 54(b)	<input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/Bench Trial <input checked="" type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input type="checkbox"/> Injunction <input type="checkbox"/> Other _____	Amount Sought by Plaintiff: \$ 10,000.00  Amount Sought by Defendant: \$ _____  Awarded: \$ 234,750.00 to Plaintiff _____  Injunctions: <input type="checkbox"/> TRO <input checked="" type="checkbox"/> Preliminary Permanent <input type="checkbox"/> Granted Denied

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Based on your present knowledge:

- (1) Does this appeal involve a question of First Impression?  Yes  No  
What is the issue you claim is one of First Impression? \_\_\_\_\_
- (2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute?  Yes  No  
If Yes, provide  
(a) Case Name/Statute Florida Consumer Collection Practices Act, Chapter 559  
(b) Citation \_\_\_\_\_  
(c) Docket Number if unreported \_\_\_\_\_
- (3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that  
(a) Arises from substantially the same case or controversy as this appeal?  Yes  No  
(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal?  Yes  No  
If Yes, provide  
(a) Case Name \_\_\_\_\_  
(b) Citation \_\_\_\_\_  
(c) Docket Number if unreported \_\_\_\_\_  
(d) Court or Agency \_\_\_\_\_
- (4) Will this appeal involve a conflict of law  
(a) Within the Eleventh Circuit?  Yes  No  
(b) Among circuits?  Yes  No

If Yes, explain briefly:

- (5) Issues proposed to be raised on appeal, including jurisdictional challenges:

1. The district court erred in denying DISH's motion for remittitur and renewed motion for judgment as a matter of law on punitive damages.
2. The district court erred in denying DISH's renewed motion for judgment as a matter of law on the issue of emotional distress damages.
3. The district court erred in denying DISH's motions in limine.
4. The district court erred in denying DISH's renewed motion for judgment as a matter of law on liability.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND

SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 10th DAY OF October, 2023.

Eric Larson Zalud

NAME OF COUNSEL (Print)

/s/ Eric Larson Zalud

SIGNATURE OF COUNSEL